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Remarks/Arguments

Claims 1-8 are pending. Claims 1 and 6 have been amended to more clearly and distinctly claim the subject matter that applicant regards as his invention. No new matter is believed to be added by the present amendment.

Rejection of claims 1-2 and 4-8 under 35 USC 103(a) as being unpatentable over Han (US Pat. No. 6421094) in view of Fujimoto (US Pat. No. 5912710)

The examiner continues to interpret the recited on-screen display (OSD) signal to encompass the received DTV or NTSC/VGA video signal of Han because such signals can be displayed on screen and the OSD processor 5 is used to process them. Applicant respectfully disagrees with such an interpretation and submits that such an interpretation is at odds with the manner in which the term is used in the specification and understood by those skilled in the art.

Applicant acknowledges that claims are to be given their broadest reasonable interpretation **consistent** with the specification, and as it would be interpreted by **those skilled in the art**. In that regard, Applicant has cited portions of the specification that describe the term "On-screen display", and provided evidence showing that such a description is clearly recognized and understood by those skilled in the art. In view of the evidence provided, the term OSD signal does not merely encompass any signal that can be displayed on a screen and is processed within an OSD processor. Incidentally, in the case of Han, the so-called processing of the video signal within the OSD processor 15 simply comprises overlaying the video signal with the OSD signal (col. 4, lines 38-41).

In fact, the examiner's interpretation of the term OSD renders the term superfluous and meaningless since any and all displays on a screen would be considered to be an OSD. If one accepts the examiner's assertion, there is no need for a separate and distinct term to describe the additional types of displays that are understood to be OSDs by those skilled in the art. However, that clearly is not the case. As pointed out by the applicant, the term OSD as used in the present application, and understood by those skilled in the art, refers to a particular

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set of displays that is distinct from the displays associated with a received video signal.

Thus, applicant submits that the examiner's interpretation of the term OSD is improper with respect to the present claims in view of the specification and the understanding of those skilled in the art. However, in order to move the prosecution of this case forward, applicant has amended claims 1 and 6 to more clearly and distinctly claim the subject matter that applicant regards as his invention. Specifically, claim 1 has been amended to recite:

... a first video signal source for providing a **first video signal representative of a first video program** and formatted according to a first color format;
a second video signal source for providing a **second video signal representative of a second video program** and formatted according to a second color format;
switch means that selects one of the first and second video signal sources and provides a selected video signal for processing;
means for generating an On Screen Display (OSD) signal for forming **a graphics display that is overlaid onto one of the first and second video programs ...** (emphasis added)

Furthermore, the examiner continues to assert that Han discloses the recited means for generating an On Screen Display signal. The examiner states

"... the format converter 14 of Han receives the DTV or NTSC/VGA video data having a YCbCr color format of 4:4:4, 4:2:2, or 4:2:0 and **outputs a converted video data having a uniform YcbCr color format of 4:4:4** (col. 4, lines 18-26). In order to convert video data having different color format (4:4:4 or 4:2:2 or 4:2:0 into a uniform YcbCr color format of 4:4:4, the format converter 14 of Han would recognize the inputted color format. Thus, the format converter 14 of Han would outputs a signal formatted (uniform YcbCr color format 4:4:4) in accordance with one of a first and second color format (a YcbCr color format of 4:4:4, 4:2:2, or 4:2:0) in response to a selection of the first or second video signal source as recited in claims." (emphasis added)

As discussed in applicant's previous response, applicant submits that even if the OSD graphics data is construed to correspond to the received DTV or NTSC/VGA video data as alleged by the examiner, the format converter 14 of Han still fails to anticipate the recited OSD generator. The examiner acknowledges that

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format converter 14 of Han operates to provide a uniform output having a color format of 4:4:4. The examiner appears to allege that format converter 14 discloses the recited OSD generator because format converter 14 provides a signal having a particular color format (e.g., 4:4:4) in response to a selection of one of the video signal sources (e.g., DTV, NTSC/VGA).

Applicant submits that the above comparison is inappropriate because the processing mentioned by the examiner in format converter 14 relates to processing and selection of one signal. That is, in response to a selection of a particular input signal (e.g., DTV, NTSC/VGA), format converter 14 converts and outputs that particular input signal in a uniform format (e.g., 4:4:4).

By contrast, present claim 1 recites means for generating an OSD signal having a particular color format based on selection of a separate and distinct video signal source, namely, a first video signal source for providing a first video signal, and a second video signal source. The format of the OSD signal depends upon the selection of a signal source that provides a signal that is separate and distinct from the OSD signal. Therefore, applicant submits that the examiner's comparison of the format converter of Han with the means for generating an OSD signal recited in present claim 1 is entirely inappropriate.

However, to move the prosecution of the case forward, applicant has amended claim 1 to more clearly and distinctly claim the subject matter that applicant regards as his invention. In particular, the claim has been amended to recite:

... means for generating an On Screen Display (OSD) signal for forming a graphics display that is overlaid onto one of the first and second video programs, the generating means capable of **providing the OSD signal in any one of the first and second color formats**, and wherein the generated OSD signal is formatted in accordance with a selected one of the first and second **color format that corresponds to a color format associated with the selected video signal** ... (emphasis added)

As acknowledged by the examiner, Han teaches a format converter that provides an output signal in a uniform format, that is, in accordance with the 4:4:4 format for any selected signal source. Nowhere does Han teach or suggest OSD generating means capable of providing OSD signals in any one of a plurality of

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color formats. Further, nowhere does Han teach or suggest generating OSD signals in accordance with a selected one of the first and second color format that corresponds to a color format associated with the selected video signal.

Fujimoto is cited as teaching that an RGB color palett circuit converts pixel data to RGB color data. Even assuming arguendo that Fujimoto provides the cited teachings, applicant submits that Fujimoto fails to cure the deficiencies of Han discussed above as applied to claim 1. Therefore, applicant submits that amended claim 1, and the claims that depend therefrom, are patentably distinguishable over the suggested combination of references.

Claim 6 has been amended to recite the above-mentioned features of claim 1 in method form. As such, applicant submits that amended claim 6, and the claims that depend therefrom, are patentably distinguishable over the suggested combination for at least the same reasons as those with respect to amended claim 1.


Rejection of claim 3 under 35 USC 103(a) as being unpatentable over Han (US Pat. No. 6421094) in view of Fujimoto (US Pat. No. 5912710) and further in view of Susumu Imai (JP 403268594 A)

Susumu Imai is cited as teaching a conversion matrix for converting R,G,B components into Y,I,Q components. However, such a teaching fails to cure the defect of Han and Fujimoto as applied to claim 1 discussed above. Therefore, Applicant submits that present claim 3 is patentably distinguishable over the combination of Han, Fujimoto and Susumu Imai for at least the same reasons as those discussed above.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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